

COUNCIL MINUTES

City Council Meeting December 6, 2011

Mayor Don Gerend called the meeting of the Sammamish City Council to order at 6:30 pm.

Councilmembers present: Mayor Don Gerend, Deputy Mayor Tom Odell, Councilmembers Michele Petitti, Mark Cross, John Curley, John James and Nancy Whitten.

Staff present: Deputy City Manager Lyman Howard, Public Works Director Laura Philpot, Assistant City Manager/Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, Senior Planner Rob Garwood, Deputy Director of Finance Chris Gianini; Director of Finance Joe Guinasso, City Attorney Bruce Disend; City Engineer Jeff Brauns; Administrative Sergeant Jessica Sullivan; Communications Manager Tim Larson; City Clerk Melonie Anderson and Administrative Assistant to the City Clerk Lita Hachey.

Roll Call/Pledge of Allegiance

Roll was called. Councilmember Petitti led the pledge.

Approval of Agenda

Councilmember Whitten requested that item 4 be removed and Deputy Mayor Odell requested 5 and 6 be removed from Consent Agenda. Councilmember Curley requested that Item 12, approving the minutes of the last meeting, be amended. Mayor Gerend moved these items to follow after New Business.

MOTION: Deputy Mayor Odell moved to approve the agenda as amended. Councilmember Petitti seconded. Motion carried as unanimously 7-0.

Public Comment

Note: *This is an opportunity for the public to address the Council. Three-minutes limit per person or 5 minutes if representing the official position of a recognized community organization.*

Erica Tillacos, 1130 Lancaster Way SE- She feels the Thompson Hill and Inglewood Basin Plans need more work because they are not complete. There is an agreement to monitor hydrology for Wetland 61. Monitoring has taken place but no results have been shared. She feels the Council should fully understand the basin updates before adopting them.

Bob Sorenson – 22609 NE 2nd Street – He asked why there was no reflection of his comments in the November 14th minutes. Second item is Agenda item 16 –ECA Sunset clause extension. He would like Council to approve it as it has been presented.

Mary Jo Kahler – 21911 SE 20th Street –submitted a hand-out. Copy can be obtained by contacting the City Clerk’s office.

Glenn Burrows - 2116 236th Ave NE – He would like to discuss the new interlocal agreement with LWSD – Referred to Public Comment after staff report.

Consent Calendar

Payroll for the period ending November 18, 2011 for pay date November 20, 2011 in the amount of \$239,898.54

Payroll for the period ending November 30, 2011 for pay date December 5, 2011 in the amount of \$238,761.23

Approval: Claims for period ending December 6, 2011 in the amount of \$815,016.99 for Check No. 30794 through No.30913

Resolution: Final Acceptance/244th Avenue SE Project (R2011- 468)

Resolution: Final Acceptance/SE 32nd St Project (R2011- 469)

~~Resolution: Adopt Inglewood Basin and Thompson Basin Plans (R2011- 470)~~

~~Resolution: Amending the Employee Handbook and Personnel Procedure Manual (R2011- 471)~~

~~Contract: Recycling Event Coordination/Olympic Environmental~~

Contract: Domestic Violence Advocate/Kimberly Leyton

Contract: King County Sheriff Parking Lot Fencing/All Around Fence

Contract: Graphic Design Services/Uproar Graphics

Approval: Council Regular Meeting /Study Session Minutes from November 1, 2011

Approval: Council Study Session Notes from November 8, 2011

~~Approval: Council Study Session/Special Meeting from November 14, 2011~~

MOTION: Councilmember Cross moved to approve consent calendar. Deputy Mayor Odell seconded. Motion carried unanimously 7-0.

New Business

Interlocal Amendment: Lake Washington School District (LWSD) Joint Use Agreement (Fields & Facilities)

Jessi Richardson presented a staff report on the Joint Use agreement and high school athletic field design (*PowerPoint presentation can be found on the City Website at www.ci.sammamish.wa.us*)

Dr. Kimball, LWSD - The School Board unanimously supported the interlocal proposal at their meeting last night. They had numerous public testimonies. The plan will enhance the playing

time for baseball and other sports, plus the lighting additionally enhances the playing time. Cost sharing is the only way the school district can afford to do this.

Councilmember Whitten questioned why this field is so much more expensive than the two other fields? Ms. Richardson explained that the total area is larger than one total field area compared to the other two fields.

Deputy Mayor Odell asked about coordinating construction of the field with the high school renovations and Dr. Kimball stated they are familiar with coordinating multiple projects at one time. Priority will be the classroom project. Construction access is on the south/west corner of school property and won't interfere with school access or construction. Deputy City Manager Lyman Howard thanked Dr. Kimball for his leadership and assistance with the City of Sammamish over the past years to the Lake Washington School District.

Public Comments

Dave Augenstein, 723 212th Ave SE, Most of his concerns are based upon the LWSD lack of communications with the users of the baseball field. The City of Sammamish did an excellent job communicating with the neighbors. The in-field has a drainage problem and the Booster club has paid \$15,000 for a tarp to cover the field during rains. If they had known about the field changes they would not have purchased the tarp. Scheduling is also a problem with some games not ending at 5:30 pm. Other teams, like feeder baseball teams, also use these fields. Baseball at Eastlake is a year round sport. He would support this agreement as long as their concerns are heard first.

Glenn Burrows, 2116 236th Ave NE - Fields are expensive and difficult to find. Inglewood Junior High has dismissed their football program and they have a full-sized field available and it would be perfect for this purpose instead of the Eastlake High School field.

Jeff Hooker, 23325 NE 15th – He feels that this change is being jammed down his throat and is moving too fast and rushed. He would love to have more say and have more people come out and comment. Agreements need to be addressed on scheduling of the teams and input by the coaches.

MOTION: Councilmember Cross moved to adopt Interlocal Amendment: LWSD Joint Use Agreement (Fields & Facilities). Deputy Mayor Odell seconded. Motion carried 4-3. Councilmembers Petitti, Whitten and Curley opposed.

Councilmember Whitten would like more discussion and a review of the plans with the other teams/users before proceeding and Deputy Mayor Odell asked to consider leaving the dirt infield in place. The infield sees most of the action and the common edge causes issues with drainage as well as a change in surface, especially when the field is being used for soccer. Councilmember Petitti would like to look into the Inglewood Junior High field site further. Dr. Kimball would like Council to consider that this project has already been approved with LWSD as well as the scheduling and fees. A delay would result only in hours of more public testimony. Deputy City Manager Lyman Howard stated that a commitment to hear from the baseball community will be a high priority for the City staff.

Resolution: Establishing Employee Medical Insurance Premium Contribution Rates

Administrative Services Director Mike Sauerwein gave the staff report on the changes to the Medical plans and to the premium contribution rates for 2012. The Wellness program has resulted in a 2% reduction in premiums and it is recommended this reduction be given back to the employees. The recommendation is that the City will pay 92% of the benefits for spouse and dependents for employees hired after 2005 and 97% for the employees hired before 2005. Dental and Vision is separate at a 100% cost to the City. On the non-government side, Deputy Mayor Odell would like to see a comparison with Boeing Company and is concerned about the total cost of benefits. Mr. Sauerwein will look into the comparisons for next year.

MOTION: Councilmember Whitten moved to adopt the resolution establishing Employee Medical Insurance Premium Contribution Rates. Councilmember Curley seconded. Motion carried 7-0. (R2011- 472)

Resolution: Adopt Inglewood Basin and Thompson Basin Plans

Eric LaFrance presented the staff report (*a copy of the presentation can be found on the City Website at www.ci.sammamish.wa.us*)

Councilmember Whitten stated the City needs an analysis on Wetland 61 & 17 and on portions of the plans for Ebright Creek and Wetland 61. Staff stated that once the data is complete staff will proceed to make improvements and revisit these locations. A plan addendum can be added, if needed, in the future. A basin plan has more policy in it and can be used as the best available science in the Environment Critical Areas plan. There will be a need for additional funding for monitoring put in future budgets.

MOTION: Councilmember Curley moved to approve the resolution to Adopt Inglewood Basin and Thompson Basin Plans. Councilmember Petitti seconded. Motion carried 7-0 (R2011- 470)

Resolution: Amending the Employee Handbook and Personnel Procedure Manual

Mr. Sauerwein presented a staff report on the Personnel Manual amendment. Deputy Mayor Odell commented about the personal days - one personal day per year.

MOTION: Deputy Mayor Odell moved to adopt an ordinance amending the Employee Handbook and Personnel Procedure Manual. Councilmember James seconded. Motion carried 7-0 (R2011- 471)

Contract: Recycling Event Coordination/Olympic Environmental

Mr. Sauerwein presented a staff report.

Deputy Mayor Odell asked about the composting barrels and would like 4 Recycling Events instead of 3 if the rain barrel distribution is included at these events. Rain and worm barrels are sold at cost. The grant money the city receives only covers the cost of three residential events and one business event per year.

MOTION: Councilmember James moved to adopt the contract: Recycling Event Coordination/Olympic Environmental. Councilmember Odell seconded. Motion carried 7 -0

Approval: Council Study Session/Special Meeting from November 14, 2011

John Curley explained his absence from the November 14 meeting was because of a death in the family. He would like to minutes to be amended to excuse his absence.

MOTION: Councilmember Odell moved to amend the November 14, 2011 minutes and excuse Councilmember Curley. Councilmember James seconded. Motion carried 7 -0

Public Hearings

Ordinance: Second Reading Amending Chapter 21A.50 (Environmentally Critical Areas), Of The Sammamish Municipal Code.

Assistant City Manager/Community Development Director Kamuron Gurol gave a staff report and presentation on Chapter 21A.50 (Environmentally Critical Areas) - *(a copy of the presentation can be found on the City Website at www.ci.sammamish.wa.us)*

Mayor Gerend reopened the public hearing at 8:50 pm.

David Gee, 22201 NE 28th Place, Mr. Gee submitted his comments to the City Clerk and are available upon request. Contact Melonie Anderson at manderson@ci.sammamish.wa.us.

Linda Eastlick, PO Box 2074, Issaquah, She feels a review of the environmentally critical area ordinance is warranted. She agrees with recommendations that we not eliminate the sunset clause.

Jim Osgoode, 19661 SE 24th Way, Mr. Osgoode would like the sunset clause to remain and to have a schedule for reviewing the ordinance. He encourages Council to extend the sunset clause for another year.

Carrie Smyth, West Beaver Lake Drive, Encourages and urges the Council to keep the sunset clause in place.

Reed Brockway, 167 East Lake Sammamish Shore Lane NE - He is a member of a group that would like the EAC code addressed in a timely fashion. He encourages the sunset clause to remain in place.

Boyer Halverson, 21928 SE 28th Street, He states that he supports keeping the sunset clause in place and revisiting the ECA.

Mayor Gerend closed the Public Hearing at 9:00.

MOTION: Councilmember James moved to adopt an ordinance amending Chapter 21A.50 (Environmentally Critical Areas) retaining the sunset clause. Councilmember Petitti seconded. Motion carried unanimously 7-0 (O2011-315).

Councilmember Whitten moved to amend the motion to substitute 21B.50. Deputy Mayor Odell seconded. Motion failed 1-6 with Councilmembers Petitti, Cross, Curley, James, Deputy Mayor Odell and Mayor Gerend dissenting.

Recessed at 9:11 pm and reopened at 9:22 pm.

Ordinance: Ordinance: Second Reading, Amending Chapter, 21A.20 Related To Accessory Dwelling Units And Duplexes Of The Sammamish Municipal Code

Mr. Gurol gave a staff report. *(a copy of the presentation can be found on the City website at www.ci.sammamish.wa.us)*

Senior Planner Rob Garwood will amend the code to count corner duplex units as one-half unit. The revision of definitions per Mayor Gerend's comments Section 5.3A – should say accessory dwelling units should not exceed the floor area of 1,000 feet when detached and except when the accessory units is wholly contained within the existing residence.

Councilmember James questioned the terms for accessory dwelling units.

Mayor Gerend reopened the Public Hearing at 9:35 pm and closed at 9:36 pm with no public comment.

MOTION: Councilmember Odell moved to adopt the ordinance amending Chapter, 21A.20 Related To Accessory Dwelling Units And Duplexes Of The Sammamish Municipal Code. Councilmember Curley seconded. Motion carried unanimously 7-0. (O2011-316).

MOTION: Councilmember Whitten moved to amend the ordinance so that ADU's be limited to 50 units. Mayor Gerend seconded. Motion carried unanimously 7-0.

MOTION: Councilmember James move to amend the code in Footnote 17-to read Units in duplexes on corners of rights of way, shall be counted as ½ a dwelling unit for purposes of calculating density. Councilmember Whitten seconded. Motion carried unanimously 7-0.

MOTION: Councilmember James move to amend the ordinance by removing P2 and P5 from neighborhood business, Community Businesses and Office business in Accessory Residential and duplexes. Deputy Mayor Odell seconded. Motion carried 5-2

Mayor Gerend dissented because there could be situations that are already in existence. Councilmember Cross also dissented.

Ordinance: Second Reading Establishing A Pilot Program To Allow For Cottage Housing To Be Located Outside Of The Town Center.

Public Hearing opened at 10:24 pm and closed at 10:25 pm with no public comment.

MOTION: Councilmember James moved to adopt the ordinance establishing A Pilot Program To Allow For Cottage Housing To Be Located Outside Of The Town Center. Councilmember Curley seconded. Motion carried unanimously 7-0. (O2011-317)

MOTION: Councilmember James moved to amend the ordinance so that affordable cottage housing is not counted against the 50 unit limitation. Mayor Gerend seconded. Motion carried unanimously 7-0.

Ordinance: Second Reading Relating To The Levying Of Regular Property Taxes And Establishing The Amount To Be Levied In 2012 On The Assessed Valuation Of The Property Within The City.

Joe Guinasso gave a staff report (*a copy of the presentation can be found on the City website at www.ci.sammamish.wa.us*)

Public Hearing opened at 10:28 pm

Ramiro Valderrama, NE 18th Place, Mr. Valderrama stated that he would like to leave the \$3 million in the general fund. He suggested considering reevaluating the numbers in respect to the cross over point. Mr. Valderrama feels the 3.2 % increase for staff should be voted on as a separate item and reconsidered.

Mayor Gerend closed the public hearing at 10:31 pm.

MOTION: Councilmember Whitten moved to adopt the ordinance (Option 2) Relating To The Levying Of Regular Property Taxes And Establishing The Amount To Be Levied In 2012 On The Assessed Valuation Of The Property Within The City. Councilmember James seconded. Motion carried 6-1 with Councilmember Cross dissenting. (O2011-318).

Public Hearing Ordinance: Second Reading Amending Ordinance No. 02011-303, The 2011-2012 City Budget, For The Purpose Of Revising The 2011-2012 Biennial Budget.

MOTION: Councilmember Petitti moved to adopt amending Ordinance No. 02011-303, The 2011-2012 City Budget, For The Purpose Of Revising The 2011-2012 Biennial Budget. (Table A Option 2) Deputy Mayor Odell seconded. Motion carried unanimously 7-0. (O2011-319)

Unfinished Business- None

Council Reports

John James – Report on the Everett Economic Development Committee. Spoke about a letter from ACE Hardware regarding their lease and hopes to keep them in our community.

Mark Cross - Spoke about attending the Planning Commission meeting last week. GMPC committee on schools in rural locations will meet for the first time on December 14th He will do a phone interview tomorrow to discuss issues.

Mayor Gerend – He will not be able to attend the Eastside Transportation Partnership meeting. Whoever attends should address the issues he recommended.

Deputy Mayor Odell –attended a meeting about ACE Hardware. Dec. 7

Councilmember Petitti – commented on the Volunteer dinner last night. It was very nicely done. She would like to see a Historical commission be included as part of our volunteers.

Councilmember Whitten – She questioned the need for the special meeting on January 17th since the retreat will follow shortly after.

Meeting adjourned at 10:45 pm

Lita Hachey, Administrative Assistant
to the City Clerk

Donald J. Gerend, Mayor